

12/18/06

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**TOWN OF ACTON**  
472 Main Street  
Acton, Massachusetts, 01720  
Telephone (978) 264-9612  
Fax (978) 264-9630

**Don P. Johnson**  
**Town Manager**

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November 13, 2006

Acton Beacon  
BY FAX

Barbara:

Please place the following ad in the Thursday, December 14, 2006 Legal Section of the Acton Beacon. Please bill the applicant at the address listed below:

Acton Gas & Service  
341 Great Road  
Acton, MA 01720  
Atten: Mr. Jacques Alaga

Phone Number: 978-635-5444

  
Christine M. Joyce  
Town Manager's Office

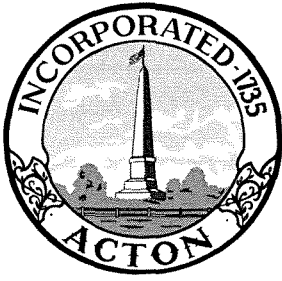
**LEGALS:**  
**PLEASE CONFIRM**

CC: Applicant  
Filed: *Classl/bin cmj*

**TOWN OF ACTON**  
**NOTICE OF HEARING**

Notice is hereby given that the Board of Selectmen will hold a public hearing in the Acton Memorial Library, on Tuesday, December 18, 2006 at 7:40 P.M. on the application Acton Gas & Service, Jack Alaga, for a Class II Dealer's License at 341 Great Road, Acton, MA.

**Acton Board of Selectmen**



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**Don P. Johnson**  
Town Manager

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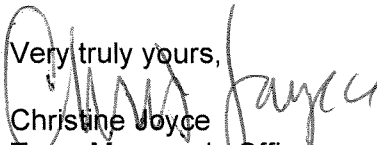
November 13, 2006

Acton Gas & Service  
341 Great Road  
Acton, MA 01720

Dear Mr. Alaga:

Enclosed please find a copy the advertisement that has been placed, at your expense, in the Acton Beacon on December 14, 2006 in conjunction with your application for a Class II Car Dealer's License at 341 Great Road.

Your hearing is scheduled for December 18, 2006 at 7:40 P.M. in the Acton Memorial Library. If you have any questions prior to that date, please call the office.

Very truly yours,  
  
Christine Joyce  
Town Manager's Office

Enc. Advertisement  
Cc: File

**Inter-Departmental  
TOWN MANAGER'S OFFICE**

**November 13, 2006**

**TO:** Building, Police, Fire, Board of Health, Tax Collector

**FROM:** Christine Joyce, Town Manager's Office

**SUBJECT:** Class II Application 341 Great Road

Please find attached the request for a Class II License at 341 Great Road

OF

**APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE  
OR ASSEMBLE SECOND HAND MOTOR VEHICLES  
OR PARTS THEREOF**

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a . . . . .  
class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with  
the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? . . . . . ACTON Gas & Service . . . . .

Business address of concern. No. 341 Great Rd. . . . . . St.,

ACTON, MA 01720 . . . . . City — Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? . . . Co. . . . . .

3. If an individual, state full name and residential address.

4. If a co-partnership, state full names and residential addresses of the persons composing it.

5. If an association or a corporation, state full names and residential addresses of the principal officers.

President JACQUES A. LAGA . . . . .

Secretary JACQUES A. LAGA . . . . .

Treasurer JACQUES A. LAGA . . . . .

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? . . . No. . . . . .

If so, is your principal business the sale of new motor vehicles? . . . . .

Is your principal business the buying and selling of second hand motor vehicles? . . . . .

Is your principal business that of a motor vehicle junk dealer? . . . . .

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

27's Gas Station... 2 pumps + 3 Bay Garage and  
11 cars parking located on Intersection 2A & 114  
and planning to have only 2 cars parking to  
sale (For sale)

8. Are you a recognized agent of a motor vehicle manufacturer? NO  
(Yes or No)

If so, state name of manufacturer

9. Have you a signed contract as required by Section 58, Class 1? NO  
(Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? NO  
(Yes or No)

If so, in what city — town NO

Did you receive a license? NO For what year? NO  
(Yes or No)

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? NO  
(Yes or No)

Sign your name in full.

JACK ALAN A. DENNIS  
(Duly authorized to represent the concern herein mentioned)

Residence

### IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH  
FULL INFORMATION, AND FALSE STATEMENTS  
HEREIN MAY RESULT IN THE REJECTION OF  
YOUR APPLICATION OR THE SUBSEQUENT  
REVOCATION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation .....  
(Approved or Disapproved)

License No. .... granted ..... 19 ..... Fee \$ .....

Signed .....

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CHAPTER 140 OF THE GENERAL LAWS, TER. ED., WITH AMENDMENTS THERETO (EXTRACT)

SECTION 57. No person, except one whose principal business is the manufacture and sale of new motor vehicles but who incidentally acquires and sells second hand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles but who incidentally acquires and sells second hand vehicles, shall engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof without securing a license as provided in section fifty-nine. This section shall apply to any person engaged in the business of conducting auctions for the sale of motor vehicles.

SECTION 58. Licenses granted under the following section shall be classified as follows:

Class 1. Any person who is a recognized agent of a motor vehicle manufacturer or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the purchase and sale of second hand motor vehicles being incidental or secondary thereto, may be granted an agent's or a seller's license; provided, that with respect to second hand motor vehicles purchased for the purpose of sale or exchange and not taken in trade for new motor vehicles, such dealer shall be subject to all provisions of this chapter and of rules and regulations made in accordance therewith applicable to holders of licenses of class 2.

Class 2. Any person whose principal business is the buying or selling of second hand motor vehicles may be granted a used car dealer's license.

Class 3. Any person whose principal business is the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts, may be granted a motor vehicle junk license.

SECTION 59. The police commissioner in Boston and the licensing authorities in other cities and towns may grant licenses under this section which shall expire on January first following the date of issue unless sooner revoked. The fees for the licenses shall be fixed by the licensing board or officer, but in no case shall exceed \$100. dollars. Application for license shall be made in such form as shall be approved by the registrar of motor vehicles, in sections fifty-nine to sixty-six, inclusive, called the registrar, and if the applicant has not held a license in the year prior to such application, such application shall be made in duplicate, which duplicate shall be filed with the registrar. No such license shall be granted unless the licensing board or officer is satisfied from an investigation of the facts stated in the application and any other information which they may require of the applicant, that he is a proper person to engage in the business specified in section fifty-eight in the classifications for which he has applied, that said business is or will be his principal business, and that he has available a place of business suitable for the purpose. The license shall specify all the premises to be occupied by the licensee for the purpose of carrying on the licensed business. Permits for a change of situation of the licensed premises or for addition thereto may be granted at any time by the licensing board or officer in writing, a copy of which shall be attached to the license. Cities and towns by ordinance or by-law may regulate the situation of the premises of licensees within class 3 as defined in section fifty-eight, and all licenses and permits issued hereunder to persons within said class 3 shall be subject to the provisions of ordinances and by-laws which are hereby authorized to be made. No license or permit shall be issued hereunder to a person within said class 3 until after a hearing, of which seven days' notice shall have been given to the owners of property abutting on the premises where such license or permit is proposed to be exercised. All licenses granted under this section shall be revoked by the licensing board or officer if it appears, after hearing, that the licensee is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made thereunder; and no new license shall be granted to such person thereafter, nor to any person for use on the same premises, without the approval of the registrar. The hearing may be dispensed with if the registrar notifies the licensing board or officer that a licensee is not so complying. Any person aggrieved by any action of the licensing board or officer refusing to grant, or revoking a license for any cause may, within ten days after such action, appeal therefrom to any justice of the superior court in the county in which the premises sought to be occupied under the license or permit applied for are located. The justice shall, after such notice to the parties as he deems reasonable, give a summary hearing on such appeal, and shall have jurisdiction in equity to review all questions of fact or law and may affirm or reverse the decision of the board or officer and may make an appropriate decree. The decision of the justice shall be final.

APPLICATION FOR A LICENSE TO BUY, SELL,  
EXCHANGE OR ASSEMBLE SECOND HAND  
MOTOR VEHICLES OR PARTS THEREOF.

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APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application No. ....

Class .....License No. ....

Name .....

St. and No. ....

City — Town .....

Date Issued .....

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Remarks .....

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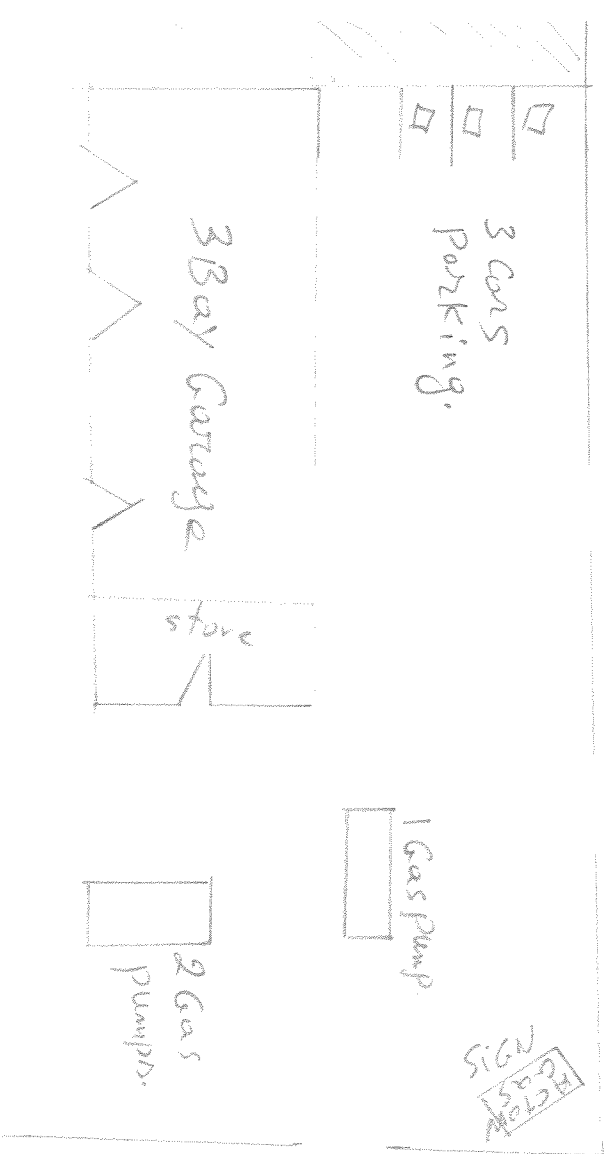
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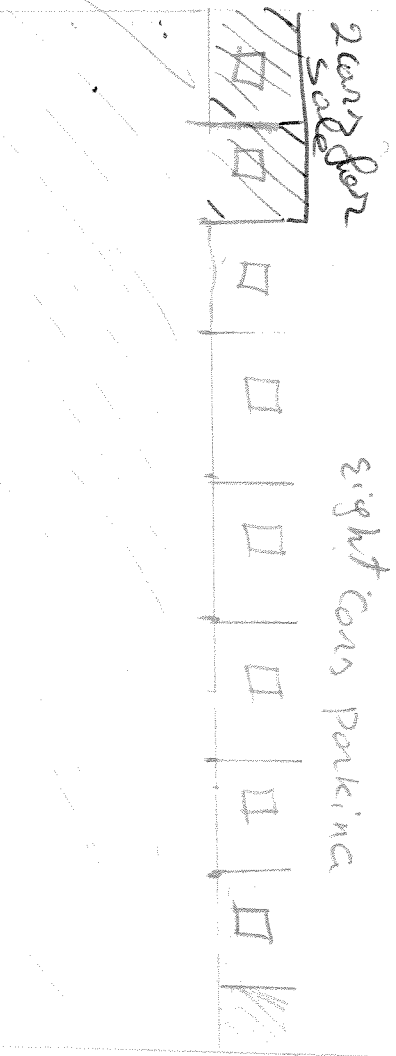
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RT 27



RT 2A-119






**TOWN OF ACTON**

**Building Department**

***INTERDEPARTMENTAL COMMUNICATION***

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**To:** Don P. Johnson, Town Manager **Date:** December 4, 2006  
**From:** Garry A. Rhodes, Building Commissioner   
**Subject:** Class II License request for 341 Great Road

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I have reviewed the Application for a new Class II License for 341 Great Road. Based on the Application it appears they will not be displaying any vehicles. I have reviewed the approved site plan for the property and they have only eight legal spaces. Under Acton Zoning Bylaw § 6.3 a three-bay garage requires eleven parking spaces. Based on their request not to display any vehicles, I do not have any concerns.

**Christine Joyce**

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**From:** Frank Widmayer  
**Sent:** Monday, November 27, 2006 2:31 PM  
**To:** Christine Joyce  
**Subject:** Acton Gas & Service

I have reviewed the application submitted on behalf of Acton Gas & Service for a Class II license.

I have no objection to the issuance of the license.

Frank J. Widmayer III  
Chief of Police  
(978) 263-2911

11/27/2006